

## PEARY TRIAL OPENS IN BERLIN

Rudolph Francke's Complaint Against Arctic Explorer Heard in German Court.

## ASSOCIATE OF DR. FREDERICK COOK

**Demands Ten Thousand Dollars for Hunting Trophies which, He Says, Peary Got from Him Under Stress—Defence Sets Up General Denial—Jurisdiction of the Court Questioned.**

Berlin, June 28.—The charges concerning the disposition of Arctic trophies left by him in Berlin, which Dr. Frederick A. Cook made against Commander Robert E. Peary, at the height of the controversy over their claims of discovery of the North pole, were heard in a German court today when the suit instituted against Peary by Rudolph Francke was opened. Francke was associated with Cook in polar explorations. He demands \$10,000 for hunting trophies which he alleges Peary insisted upon having in consideration of his taken Francke back to America.

## General Denial.

The defence sets up a general denial and questions the jurisdiction of the court on the grounds that the defendant is an American citizen, having no domicile in this city. After hearing the opening arguments the court adjourned to consider the point of jurisdiction.

**Peary Served with Papers During Recent Visit.**

Commander Peary was served with papers in the suit when he came here recently to fill a lecture engagement. At that time he said that he would be unable to remain here for the trial, and that he had placed the matter in the hands of the American ambassador, Dr. Hill. Subsequently he returned to the United States.

Peary's interests were looked after today by Herr Jablonski, a partner of Victor Schneider, counsel to the American embassy, while Herr Thiel represented Francke. The latter was present, but was not called to the witness stand.

The proceedings were before three

judges of the provincial court. In opening for the plaintiff, the attorney spoke for more than an hour over the whole story of the equipment of Cook's expedition, the building of the supply station at Etah on the northwest coast of Greenland, the hunting in that vicinity, Cook's departure toward the pole, Francke's illness, the arrival of Peary and Francke's return home in the Peary relief ship Erik.

The lawyer asserted that Peary had caused the plaintiff to turn over to him certain blue fox skins, furs and walrus tusks on the one condition upon which he would take him from the Arctic where, if deserted, he believed he would die. The transaction was illegal in that it was consummated under stress. He said that a pair of the walrus tusks then given up by Peary were given to President Taft and Mrs. Taft by Mrs. Peary.

He said that the German courts had jurisdiction in the matter because Francke, a German, was unable to obtain redress in the United States.

**Reply of the Defence.**

Replying for the defence, Herr Jablonski insisted that the court had no jurisdiction for the reason that Peary had neither property nor home here.

"We consented," he said, "to appear at the trial, only because our absence would have been construed unfavorably in some quarters."

Counsel denied the allegations of Francke from beginning to end, and said that they had the same goal as Cook's claim that he had been at the North pole.

## PETITION ASKING THAT UNITED STATES INTERVENE

In Nicaragua—Consul Moffatt Telegraphs the State Department.

Washington, June 28.—Intervention in the Nicaraguan situation came to the fore again today when United States Consul Moffatt, at Bluefields, telegraphed the state department that a petition for four months had been presented to General Estrada asking that the United States intervene. The department has heard nothing from General Estrada himself. The suggestion is taken as another move to offset the undesirable impression likely to result from the refusal of General Estrada to accept the proposal of the Carnegie court of justice.

The dispatch from Consul Moffatt said nothing about the court martial of William F. Pittman, the American engineer, held by the Madriz forces as a prisoner of war. The silence of the consul on this point, taken in connection with the fact that the court martial of Pittman has been a subject of diplomatic consideration, led the state department to the conclusion that the report of Pittman's court martial was premature.

## PRESIDENT TAFT DUE IN BEVERLY TODAY.

Left Washington at 5:35 Tuesday Afternoon.

Washington, June 28.—President Taft left Washington today to spend the next three or four months at Beverly, Mass., the present summer capital of the United States. He wore a broad smile and his air of gaiety was accentuated by the president's private car was attached to the Federal express, which pulled out of the Union station at 5:35 o'clock this afternoon.

With the president went Secretary Norton and Assistant Secretary Forest. Captain Archibald Butt, his military aide, Dr. Barker, his physician, two stenographers and several messengers.

## DIRIGIBLE BALLOON FLIGHT TO THE NORTH POLE.

Possibilities of an Air Route in the Arctic to Be Investigated.

Kiel, June 28.—The steamship Mainz, which will proceed on Saturday for Spitzbergen, is carrying Count Zeppelin's preliminary North Polar expedition, anchored alongside the imperial yacht, and will be inspected by Emperor William.

It is planned to erect a dirigible balloon house at Spitzbergen and Captain Lau will investigate the possibilities of a dirigible balloon flight in the Arctic to determine whether an air route to the North Pole will be practicable.

## OBITUARY.

**William Nelson McVicker, Protestant Episcopal Bishop of Rhode Island.**

Beverly, Mass., June 28.—William Nelson McVicker, Protestant Episcopal bishop of Rhode Island, died at his summer home at Beverly, Cove last afternoon after a lingering illness. He had been bishop of Rhode Island since 1893.

Bishop McVicker was born in New York October 19, 1843. He was graduated from Columbia college in 1865 and the general divinity seminary in 1868. The degree of D. D. was conferred upon him by Kenyon college and by the University of Pennsylvania.

He was rector of the Episcopal church in Philadelphia, Pa., from 1883 to 1895, and was president of the Southwest convention and member of the diocesan board of missions and board of managers of the general missionary society. His home was in Providence.

**Gunboat Marietta Goes to Nicaragua.**

Washington, June 28.—To indicate its confidence in the complete seaworthiness of the gunboat Marietta, which was recently pronounced to be in bad condition by the inspection board and a court of inquiry, the navy department has directed the vessel to proceed to the east coast of Nicaragua, however.

Little Fish—What are your summer plans? Big Fish—I shall get away as usual.—N. Y. Sun.

## Cabled Paragraphs

Berlin, June 28.—Another death from cholera has taken place among the immigrants at the Ruhleben station. The victim is a sister of the Russian immigrant who died at the station two days ago.

Bombay, June 28.—There are no tidings from the Christian-Lloyd steamship Trieste, which with her thirty-four passengers and crew of eighty-five is eight days overdue from Trieste. Three ships are searching the Arabian coast. The Trieste, a passenger and mail steamship of 5,095 gross tons, sailed on June 4, and was last reported from Aden on June 14.

Kiel, Germany, June 28.—The American schooner Westward, owned by Alexander S. Cochrane and sailed by Capt. Charles Barr, continues to win racing laurels. Today she won the schooner race to Eckernforde, defeating the German Hamburg and the Meteor. The emperor was aboard the Meteor, which finished last. Ambassador Hill and his family followed the race in a steam launch.

## EX-PRESIDENT ROOSEVELT RETURNS TO HARVARD

Joined His Old College Friends at Class Reunion.

Boston, Mass., June 28.—Theodore Roosevelt, Harvard '80, was unable to come to Boston in time to participate in the class reunion held today, but he joined his old college friends tonight, when the class held its reunion at the Algonquin club in this city. Although the time of his arrival had not been widely heralded, a small crowd was on hand at the Back Bay station when Colonel Roosevelt stepped off his train at 9 p. m., and there was a hearty cheer.

The former president at once entered an automobile and was driven to the Harvard campus, where he was greeted by a large number of Harvard alumni. President Lowell greeted him on the steps of his residence, just within the college yard. The president of the Harvard Club, Colonel Roosevelt had not been there long before a call came to him to cross the street and speak to the press. He accepted the invitation, and escorted by Justice Francis C. Lowell, of the United States circuit court, he went to the Harvard Club, where he was greeted with applause and he spoke briefly.

Colonel Roosevelt expressed his gratification at being at Harvard again and referred to the memorial tablets in the Union to the Harvard soldiers who fell in the Spanish war. He said it was a privilege to know that Harvard was always ready when the country needed civic service.

Colonel Roosevelt then took a short walk with a group of Harvard men, including the secretary of the class of 1880, and Robert Yomans. He visited the Porcellian club and one other smaller club.

President Roosevelt refused to talk with the newspaper men and would make no statement concerning the Harvard case, but he did speak at the commencement dinner tomorrow afternoon.

When Colonel Roosevelt was informed of the result of the Harvard case, he said he felt that Harvard was always ready when the country needed civic service.

Shortly before six o'clock the president returned to President Lowell's house, and was soon afterwards brought back to Boston in a motor car. He was accompanied by a number of Harvard men, including the secretary of the class of 1880, and Robert Yomans. He visited the Porcellian club and one other smaller club.

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## CENTRAL ATHLETIC CLUB.

Midsummer Outing Planned and Committees for It Named.

At a special meeting of the Central Athletic club, held on Tuesday evening, plans for a midsummer outing were discussed and the following committee appointed to carry out the plan: Treasurer, William Fitzgerald; William Houlston; Jay Desmond; and Tim Fields. The date is undecided, but it is expected to make the day an outing for both the members and their lady friends.

Among the attractions will be an all around athletic contest for which a gold watch, \$5 in gold and a half-dozen prizes will be offered. The details of the whole event were left in the hands of the committee when the meeting adjourned.

After the meeting, President Fitzgerald took a party of the members down the river on a launch trip.

## OBITUARY.

**Miss Harriet M. Rogers.**

The death of Miss Harriet Maria Rogers occurred on Tuesday morning at ten o'clock at the home of Mr. and Mrs. Thomas Rogers at East Greenwich, R. I. She was a resident of Wauwaucon Hill but during a visit to Mr. Peabody's home in April she was taken sick and never recovered.

The daughter of Mr. and Mrs. Samuel Rogers, Miss Rogers was born in Norwich, Conn., in 1842. She was a nurse and midwife and had followed such duties in this town, Bozrah and Salem. She was a member of the Central Union church and was a wide circle of friends and many know the result of her kindly ministrations. She took interest in assisting others.

She is survived by a brother, Edward, in Sherburne, Cal., and leaves three nephews in Illinois, one in California and three in Norwich while she leaves a niece in New York and one in Iowa.

**Edward Atwater.**

The death of Edward Atwater of New Haven occurred in Preston on Tuesday at the age of 68 years. Church & Allen took charge of the remains and they will be forwarded to New Haven today if it is expected.

**Patrick Henry Hughes.**

Patrick Henry Hughes, for between 18 and 20 years a coachman in the employ of Frederick C. Prescott, died Tuesday morning at a Memorial hospital, New London. He had undergone an operation for relief of an affection of the stomach. Mr. Hughes was born in Farmville, Va., and was one of the most highly respected negro residents of New London. He is survived by his wife and a brother, Samuel Hughes, residing in New London.

The Grand United Order of Odd Fellows and of the Masons, Mr. Newcomb, speaking of his former employee, said he was the most faithful man he ever knew.

Mrs. H. D. McKnight of this city is a cousin of the deceased.

**S. N. Ellis Improved.**

Sullivan N. Ellis of New London, who was reported Monday to be in a precarious condition from appendicitis, was more comfortable Tuesday. An operation at 6 o'clock Monday afternoon afforded relief, and hope for Mr. Ellis' recovery was given by the physicians Tuesday.

"He prides himself on being a confirmed cynic." "Is he as young and inexperienced as that?"—Life.

## Mrs. Von Clausen Wants \$1,000,000

FOR ALLEGED SLANDER, MALICE AND REVENGE.

## WAS INSULTED IN SWEDEN

She Says by Refusal of Minister Graves to Present Her at Court of Late King Oscar.

New York, June 28.—A big bundle of papers purporting to be the complaint in a suit for \$1,000,000 damages against the German ambassador in Sweden, Theodore Roosevelt, Robert Bacon, American ambassador to France; Charles Graves, American minister to Sweden; and his wife, is in the country clerk's office here awaiting disposition. The bundle was thrown into the office today by Mrs. Ida M. Von Clausen, after the clerk's refusal to file them because of irregularities.

## Mrs. Von Clausen's Complaint.

The attempted suit is an outgrowth of the refusal by Minister Graves to present Mrs. Von Clausen at the court of the late King Oscar of Sweden in 1907. The complaint begins:

"I hereby make formal demand of the supreme court of the United States to procure me an honest lawyer to plead for justice for me if the United States of America has laws to protect me. If not, then the legislature must be appealed to."

As Mrs. Von Clausen says she has been unable to find such a lawyer. The complaint continues:

"I received in Sweden an insult of the world has cognizance, is laid directly to the foregoing conspirators."

Mrs. Von Clausen has figured conspicuously in the Swedish scandal since her return from Sweden. She says King Oscar gave her his photograph and invited her to visit him.

## PROBING CONDUCT OF NEW HAVEN CO. COMMISSIONERS.

Hearing Will Probably Be Concluded Today—An Odorous Jail.

New Haven, June 28.—The probe into the conduct of the New Haven county commissioners and the administration of county affairs, which began today, is expected to continue for at least two weeks. It was announced at the close of the hearing this afternoon. The first charges taken up were those of the council of one hundred of the civic federation. The matter of the contracts for the building of a new jail, which was the subject of a general denial by the commissioners, was the first to be taken up. Denials were made by the commissioners that the prisoners were punished by the superintendent of the workhouse and general denials entered to various other accusations which had been made against the commissioners.

The afternoon session Louis T. Bernard, superintendent of the Yale mission, testified to what he said was the very unsanitary condition of the jail. He said that the prisoners were crowded together in a very poor condition. Supt. J. C. Sheehan of the workhouse said that the prisoners were crowded together in a very poor condition. Supt. J. C. Sheehan of the workhouse said that the prisoners were crowded together in a very poor condition.

Among the visitors at Jeffries' camp today were Dr. W. S. Potter, of Oakland, Cal., Jeffries' physician. It is thought he will examine Jeffries for the promoters before the fight.

Governor Dickerson said he would leave for Carson City tonight. He said he was entirely satisfied with Jeffries' workout and a talk with Jeffries that everything was as advertised and that the fight would not violate any Nevada law.

## NOTHING TO STOP JEFFRIES-JOHNSON FIGHT.

Nevada Governor Quits Rumors—Sees Johnson in Fast Workout.

Reno, Nev., June 28.—Rumors that the Jeffries-Johnson fight would be stopped by executive edict having been given a complete knockout by Governor Dickerson himself, interest shifted tonight from the governor's shift to the training camps. Every one connected with the contest was expected to point to Moana Springs or Johnson's quarters during the afternoon, and not until evening did the steady procession of motor cars cease.

Gov. Dickerson breathed a sigh of relief when his conference with Governor Dickerson was over. He had the governor's personal assurance that there will be no interference with the fight.

## Elected President of University of Michigan.

Ann Arbor, Mich., June 28.—Harry Burns Hutchins was elected president of the University of Michigan tonight, to succeed Dr. James B. Angell. President Hutchins was born in London, H. C. April 18, 1841. He received his early education at the New Hampshire and Vermont conference seminaries and at Wesleyan university, Middletown, Conn.

Congressman Guernsey Renominated.

Bangor, Me., June 28.—Congressman Frank E. Guernsey of the Fourth Maine district was re-nominated here today by the republicans of his district. The nomination was made by acclamation.

## Sensible School Dress.

A social reform club in Seattle has tackled the problem of simplicity in school dress and has proposed a uniform attire for all the girls and boys. The wisdom for less show and extravagance of children's dress for school ought to be apparent to everyone who has taken the time to observe and think on the subject, although we doubt if the remedy is so simple as proposed. In the first place the uniform would be resisted as too radical and as contrary in spirit to the principle of our free institutions, which is that each child should wear the dress of his or her parents.

In some high schools wear uniforms for military drill, but that is a long way from requiring all pupils to wear them. Yet something ought to be done to discourage this foolish and unwise habit many school girls have of trying to outdo each other in the matter of dress. Some of them look as if they might be gowned for an elaborate social function and the attention devoted to dress cannot help but detract from their learning. To say nothing of the unhygienic and uncomfortable contrasts it sets up against children unable to match them.—Omaha Bee.

## Saloon and Hotel Blown Up.

Minneapolis, Minn., June 28.—A saloon and hotel five miles north of Minneapolis, on Anoka road, was blown up this evening at 5:20 o'clock by an explosion of the gas tank in the basement. Four men were burned to death at the fire which ensued, and two, including the proprietor, were seriously injured that they cannot recover.

"My wife is commander-in-chief in the house." "And you?" "I'm only the paymaster."—Judge.

## Condensed Telegrams

The Vatican Has Sent an Ultimatum to Spain demanding the withdrawal of the decree of June 11.

Baron Sternberg Was Arrested in St. Petersburg on the charge of delivering secret documents to a foreign state.

A New Division of the general land office will be created on July 1 to pass upon all contested government land cases.

An Appropriation by Congress of \$500,000 makes it possible for the land office to do its own surveying and abolish the contract system.

A Million Dollars Was Received at the treasury department from the corporation tax. The total paid to date on that account aggregates \$4,230,402.

The State Department wants the manufacturers of the United States to participate in the great international industrial exposition to be held at Turin, Italy.

The Chinese Government refused to accede to the demand of the delegates of the provincial assembly for the immediate convention of a national parliament.

It Has Looked Out that President Taft three days before congress adjourned began to dictate a message vetoing the rivers and harbors bill, but changed his mind.

Speaker Cannon paid a farewell visit to the White House, and after leaving said that he would be back for the next session, and that he was in the hands of his party.

The Appropriations Made by the session of congress just closed amounted to \$1,027,133,448, according to an official announcement made by the house appropriations committee.

The Annual Sessions of the Coal Mining Institute of America opened at Uniontown, Pa., yesterday with delegates in attendance from all over the middle west and eastern states.

The Interstate Commerce Commission announced that the federal law regulating the hours of service of train crew was declared constitutional by Judge Morris of Iowa in a test case brought by the Illinois Central railroad.

## \$1,500 AVEN THAT JOHNSON STAYS TEN ROUNDS.

Betting Begins in Reno—\$3,000 to \$1,800 on Jeffries to Win.

Reno, Nev., June 28.—Local betting on the fight lived up greatly today, and in one of the prominent gambling houses the following wagers were posted:

\$1,500 even that Johnson stays ten rounds.  
\$500 to \$500 that Johnson will win.  
\$1,700 to \$700 Jeffries to win.

All the others were quickly covered. Bob Vernon of New York, an old friend of Jeffries, is credited with the largest local wager placed on the fight. He said at Jeffries' camp that today Vernon put up \$3,000 to \$1,800 on Jeffries to win: a record of such a wager is reported by a local poolroom.

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Governor Dickerson said he would leave for Carson City tonight. He said he was entirely satisfied with Jeffries' workout and a talk with Jeffries that everything was as advertised and that the fight would not violate any Nevada law.

## Saw Whirlwind Coming.

Suddenly he perceived a whirlwind coming, and ascended to a height of nearly 4,000 feet to avoid the worst of it. With the whirlwind came a down-pour of rain. After half an hour the Deutschland came down to permit of observations, and it was seen that the suburb of Reno lay below. The forward motor again stopped. Coleman sent five of the correspondents to the aft gondola to ballast the vessel.

## Big Airship Sank Rapidly.

The airship sank rapidly, having lost much gas in the high altitude and dragged along the top of the dense forest. A heavy branch of a tree broke through the floor of the cabin and, throwing the ship to the floor, other branches ripped through the gas compartments, and the whole craft struck the ground thirty or forty feet from the spot where it had been seen to descend.

"It isn't the fault of the Zeppelin system," exclaimed Herr Coleman, "it is a right in our own fault, and our benches ran over."

## Looked Like a Wreck.

The airship for which Herr Coleman's company had just paid \$127,000, looked like a wreck. The frames were broken, but the motors were not hurt. The silk was ripped off the top of the airship, and the whole craft was a mass of wreckage. A rope ladder was swung down and every one was made to fasten on. The natives identified the spot as near to Wellendorf, eastward of Osnabruck.

## THREE PERSONS DROWNED IN SEVERN RIVER, ANNAPOLIS

A Score of Marines Searched for the Bodies Last Night.

Annapolis, Md., June 28.—More than a score of marines are searching the waters of the Severn river tonight for the bodies of Mrs. Nellie E. Bower, wife of the late John Bower, and daughter-in-law of Supt. John M. Bower of the naval academy, and Midshipman Crislie Thomas of Union Point, Md., and Sherman M. Nelson of Newport, R. I. The three left the naval academy about 11 o'clock this morning in a sailboat and this boat was found floating in the river tonight. It was portions of the clothing which was worn by members of the party. It is believed that the midshipman took Mrs. Bower to the bathing shore used by the persons at the naval academy and attempted to teach her to swim and that she got beyond her depth and all three were drowned. All efforts to recover the bodies had been fruitless up to a late hour tonight.

## CHARGES AGAINST CHICAGO PRIVATE BANKER

Greek Said to Have Taken \$40,000 from His Fellow Countrymen.

Chicago, June 28.—If charges made by the police are true, Storiolus Bousoulas, until recently a private banker, steamship and employment agent, has taken between \$30,000 and \$40,000 from his fellow countrymen during the last two years. Bousoulas, who is a Greek 33 years of age, was placed under arrest here today.

It is charged that he agreed to forward drafts to Greece, and failed to do so.

## Boy Drowned in Naugatuck River.

Thomaston, Conn., June 28.—Lester De Groot, eight years of age, while playing with a toy boat on the bank of the Naugatuck river this afternoon, fell in and was drowned. The body was recovered.

## Good Crop-Growing Weather.

Washington, June 28.—Good crop-growing weather throughout the country prevailed during the week ending yesterday, according to the National Weekly weather bulletin of the department of agriculture.

Out of a total population of about 3,000,000 in Scotland, more than 500,000 are directly or indirectly dependent on coal mining for their livelihood. There are 121,533 persons in operation employing 125,533 persons, 2,641 of who number being females.

## Passenger Airship Parly Cracked

LIES STRANDED ON TOP OF TEBOURGIAN FOREST.

## BIG CIRIBIBLE IN A STORM

Perilous Trip of Count Zeppelin's Deutschland with Thirty-three Persons Aboard—Helpless in a Gale.

Dusseldorf, Germany, June 28.—Count Zeppelin's passenger airship Deutschland, the highest developed of all the famous aeroplanes, lies tonight on top of the Teibourgian forest, pierced with pine tree stems, a mass of deflated silk and twisted aluminum. The thirty-three persons aboard after a wild and perilous storm, escaped uninjured, climbing down a rope ladder from the wreck on the pine tops.

## Sailed from Dusseldorf.

Herr Coleman, general manager of the new airship company, Chief Engineer Duer, of the Zeppelin company, and Captain Kannenberg, who personally had charge of the crew of ten, and twenty newspaper men, sailed from Dusseldorf at 8:30 o'clock this morning for a three hours' excursion. The objective point was Dornmund, about 35 miles from Dusseldorf, but a high head wind prevailed and an effort was made to reach Munster, a garrison town, so that a landing might be made on the parade ground by the army of the soldiers, and it was realized that it would require a large number of them to hold the vast contrivance of silk and metal against the wind.

## One of the Motors Balked.

It was dangerous to attempt a landing in an open field because of the storm, inasmuch as the metal was likely to be blown to pieces. The high wind one of the motors refused to work and the other two were not powerful enough to make any progress in the gale. The airship stopped, struggling in the violent gusts, and sometimes leaning to an angle of forty degrees, and at the while the engineers were at work repairing the disabled motor.

When this was done all four screws were driven at their full power, under which in normal conditions the airship was capable of attaining a speed of forty miles an hour. But the storm was unable to keep to his course and the great craft, was swung about by the mercy of the wind.

## Did Not Dare to Turn Ship Around.

Coleman did not dare to turn the ship around, for fear of overturning, and he decided to drift in the gale, which was now blowing at the rate of fifty miles an hour toward Osnabruck, which is also a garrison station. If he missed that, he would continue to Senne.

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